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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Yolanda Renee Gallardo,)	Case No. 1:21-cv-00372-SKO
Plaintiff,)	STIPULATION AND ORDER FOR
)	SECOND EXTENSION OF TIME
vs.)	(Doc. 16)
Kilolo Kijakazi, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	
)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from November 12, 2021 to January 11, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgement. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. Good cause exists for this extension. Counsel has recently received a greater number of Answers and Certified Administrative Records from defendant in cases in this

1 district, and the three other California Districts, each of which require settlement
2 negotiations or merit briefing. Counsel has a greater than usual number of merit
3 briefs due in November and December 2021. Thus, Counsel is requesting an
4 extension through January 11, 2021 to accommodate the number of cases due.
5 For the week of November 8, 2021, Counsel has six merit briefs, several reply and
6 settlement letters. Counsel also has seven administrative hearings before the
7 Office of Hearings Operations. For the month of December 2021, Counsel has 20
8 merit briefs scheduled due, seven of which are due within 7 days of the current
9 deadline. In addition, Counsel has numerous reply briefs, settlement letters and
10 EAJA motions due in the short month of December 2021.

11 Counsel has also received an increase in the number of AC denials which
12 require a review for possible filing in US District Court. Lastly, Counsel has end
13 of the year business reviews to conduct as the CEO of Peña & Bromberg, PC.

14 Due to the increase in certified administrative records being filed by
15 defendant, Counsel for Plaintiff has a larger than usual number of briefs due for the
16 months of November and December 2021.

17 Compounding the issue of an increased number of merit briefs due, Counsel
18 has preplanned vacation days for the Thanksgiving and Christmas holidays.
19 Counsel respectfully requests the Court granted the requested extension.

20 Counsel for the Plaintiff does not intend to further delay this matter.
21 Defendant does not oppose the requested extension. Counsel apologizes to the
22 Defendant and Court for any inconvenience this may cause.

23
24 Respectfully submitted,

25 Dated: November 8, 2021 PENA & BROMBERG, ATTORNEYS AT LAW
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27 By: /s/ Jonathan Omar Pena
28 JONATHAN OMAR PENA

Attorneys for Plaintiff

Dated: November 9, 2021

PHILLIP A. TALBERT
Acting United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

By: */s/ Linda H Green
Linda H Green
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on November 9, 2021)

ORDER

Based upon the foregoing stipulation of the parties (Doc. 16), and for good cause shown (Fed. R. Civ. P. 16(b)(4)), IT IS HEREBY ORDERED, that Plaintiff shall have an extension of time, to and including January 11, 2022, in which to file Plaintiff's motion for summary judgment. All other deadlines set forth in the Scheduling Order (Doc. 14) shall be extended accordingly.

IT IS SO ORDERED.

Dated: November 10, 2021

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE